

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

JOSEPH EDWARD HOLMES

v.

NATHANIEL QUARTERMAN,  
DIRECTOR OF TDCJ-CID

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CIVIL ACTION NO. G-06-406


**ORDER**

Before the Court is the Report and Recommendation of the United States Magistrate Judge that was entered on April 2, 2007. Neither Petitioner nor Respondent has filed Objections.

Having given this matter *de novo* review under 28 U.S.C. § 636(b)(1)(C), this Court finds that the Report and Recommendation is correct and it is, therefore, **ACCEPTED** by this Court in its entirety and incorporated by reference herein.

Accordingly, it is **ORDERED** that Respondent's Motion to Dismiss (Instrument No. 8) is **GRANTED**; and that the Petition for a Writ of Habeas Corpus of Joseph Edward Holmes (Instrument No. 1) is **DISMISSED AS MOOT**.

**DONE** at Galveston, Texas this 25<sup>th</sup> day of April, 2007.

  
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Samuel B. Kent  
United States District Judge